



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
HARRISBURG, PENNSYLVANIA
17120

Right-to-Know Law Office
Room 306, North Office Building
401 North Street
Harrisburg, PA 17120-0500
Fax: 717-214-9899

Mailing Date: April 4, 2016

Richard Katz
3364 Parker Lane
East Stroudsburg, PA 18301

Cat2400@msn.com

RE: Right-to-Know Law Request No. 2016-126

Dear Mr. Katz:

As your request was not properly addressed to the Agency Open Records officer pursuant to the Pennsylvania Right-to-Know Law, 65 P.S. §67.101, et seq. (RTKL), it was not received by the Agency Right to Know Officer until March 28, 2016. Although your request refers to the Freedom of Information Act, this agency is subject only to the Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101, et seq. (RTKL). In your request you asked for:

(1) Emails by, to, and among members and staff of the Pennsylvania Board of Medicine ("PABOM") since Jan. 1, 2009, concerning the National Board of Medical Examiners (NBME) and the Federation of State Medical Boards ("FSMB") involving the United States Medical Licensing Exam (USMLE), emails relating to the United States Medical Licensing Exam (USMLE) and the Six Attempt Limit Policy instituted by NBME and FSMB in January of 2012. Any emails of the associated USMLE Waiver or policy of exemption of the Six-Attempt Limit Rule that NBME provided to PABOM in 2011.

(2) Emails by, to, and involving Teresa Lazo, Assistant Counsel (tlazo@pa.gov) and her co-counsel, Wesley Rish at (vrish@pa.gov) with NBME or FSMB, PABOM board members, involving USMLE Waiver provision of the Six-Attempt Limit Rule Policy that NBME provided to PABOM involving the USMLE Exams.

(3) Emails by, to or involving Ms. Lazo, Mr. Rish or any other PABOM representative or employee with PA State Rep. David Parker, Representing the 115th Legislative District in the Pennsylvania House of Representatives and his constituent Richard Katz a Medical Graduate from East Stroudsburg, PA.

(4) Emails by, to, or involving Ms. Lazo, Mr. Rish or any other PABOM representative, board member or employee with Attorney Charles Weiner of Bensalem, PA, Attorney's from the Law firm Hamburg & Golden, P.C. located at 1601 Market Street in Philadelphia, PA, Michael Sacks or Neil Hamburg involving Rep. David Parker or his constituent Richard Katz, NBME, FSMB, USMLE or the Six Attempt Limit Policy and Waiver provision.

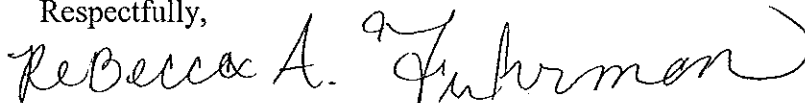
Under the RTKL, a written response to your request is due on or before April 4, 2016.

This is an interim response, not a final response, to your request. Under the provisions of 65 P.S. §67.902(b)(2), you are hereby notified that your request is being reviewed and the Department of State will require up to an additional 30 days, i.e., May 4, 2016, in which to provide a final written response to your request.

The extent and nature of your request precludes a response within the five-day time period. Due to this reason, the total for the estimated or actual fees that will be owed when the records become available will be included in our subsequent response. Many of the records that might possibly be included in your request may also be exempt under section 708(b) of the RTKL. The Department of State reserves the right to review and assert any such exemptions.

Should you have any questions, please feel free to contact me.

Respectfully,

A handwritten signature in cursive script that reads "Rebecca A. Fuhrman". The signature is written in dark ink and is positioned above the typed name and address.

Rebecca A. Fuhrman
Agency Open Records Officer
306 North Office Building
401 North Street
Harrisburg, PA 17120
717-783-3585